REMARKS

Applicant files concurrently herewith a Request for Continued Examination (RCE) in response to the Final Office Action mailed January 4, 2006. By this Amendment, Applicant amends claims 1, 4, 7, 13, 14, 18-21, and 23-26. Claims 1-26 are pending.

In the Office Action[1], the Examiner rejected claims 1-26 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,995,979 to Cochran ("*Cochran*"). Applicant respectfully traverses this rejection for the reasons below.

I. Regarding the rejection of claims 1-26 under 35 U.S.C. §102(e) as being anticipated by *Cochran*

Applicant respectfully traverses the rejection of claims 1-26 under 35 U.S.C. § 102(e) as anticipated by *Cochran*. In order to properly establish that *Cochran* anticipates Applicant's claimed invention under 35 U.S.C. § 102, each and every element of each of the claims in issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." *See* M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Claim 1 recites a combination including, for example:

> a processor connected to said bus, said processor configured to receive non-predetermined search queries submitted by a client over said network interface...and to provide a list of terms used in the search queries presented over a period of time.

(emphasis added).

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[1] The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Cochran teaches enabling a user to "view different lists of choices, or search terms, that are available in a unique search situation" (col. 4, lines 20-22). "Only choices or search terms that are actually available are presented to the user" (col. 4, lines 29-30). "Unless the user selects a different search term, the default search term will prevail as a selected search term" (col. 7, lines 31-33). "[T]he user can accept one or a predetermined number of default search terms that are displayed and search the database using those default search terms" (col. 7, lines 36-38) (emphasis added).

In *Cochran*, the user views lists of search terms in pick boxes 311-313 (col. 10, lines 43-47 and Fig. 3a). "[O]nly search terms that are located in records of the database will be displayed in pick boxes 311-313" (col. 11, lines 61-63). The user can only search databases using predetermined, default search terms. Thus, *Cochran* does not teach "a processor connected to said bus, said processor configured to receive non-predetermined search queries submitted by a client over said network interface," as recited in claim 1.

Accordingly, *Cochran* cannot anticipate claim 1. Claims 2 and 3 depend from claim 1 and are thus also allowable over *Cochran* for at least the same reasons as claim 1. Independent claims 4, 7, 13, 14, 18-21 and 23-26, while of different scope, recite elements similar to those of claim 1 and are thus allowable over *Cochran* for at least the same reasons discussed above with respect to claim 1. Claims 5-6, 8-12, 15-17, and 22 are also allowable at least due to their dependence from claims 4, 7, 14, and 21, respectively.

II. Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: February 24, 2006   By: _____ #27,432
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